

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH CAROLINA

FLORENCE DIVISION

REBECCA PETERS-MONE)
AND STACEY J. DALBEC,)
INDIVIDUALLY AND AS)
CLASS REPRESENTATIVES,)

Plaintiffs,)

vs.)

VANDERBILT MORTGAGE)
AND FINANCE, INC., AND)
CLAYTON HOMES, INC.,)

Defendants.)

C/A No: 4:06-cv-01326-TER

**PLAINTIFFS OPPOSITION TO
DEFENDANT'S MOTION FOR
STAY PURSUANT TO
LOCAL CIVIL RULE 16.00**

The Plaintiffs, Rebecca Peters-Mone and Stacey J. Dalbec, hereby submit this
Objection to the Defendant, Vanderbilt Mortgage and Finance Inc.'s ("VMF") Motion for Stay
pursuant to Local Rule 16.00

This is the Defendant's **second** request that discovery, entry of scheduling order(s) and all
Federal and Local Civil Rule disclosure requirements and deadlines be stayed until
after it's pending Rule 12(b)(6) Motion to Dismiss is "resolved". The Plaintiffs would show that
the Defendant has not shown good cause why discovery activities should be enjoined. Further
Plaintiffs who continue to be injured by Vanderbilt's wrongful conduct, will be prejudiced by
further delays instigated by Vanderbilt which will impair their ability to obtain a remedy in a timely
fashion.

Vanderbilt utilizes it's Memorandum regarding it's Motion for Stay to bolster its view that it's
Motion to Dismiss has merit, a position the Plaintiffs reject. See Plaintiffs Memorandum in

Opposition to Motion to Dismiss.

Plaintiffs respectfully request that this Court deny the Defendant, VMF's Motion for Stay filed October 27, 2006 for the reasons stated in their previously filed Objection along with the reasons herein.

s/David H. Breen
David H. Breen, #1459
Attorney for the Plaintiffs
1341 44th Avenue North, Suite 206
Myrtle Beach, SC 29577
843-445-9915
davidhbreen@sc.rr.com

Dated: November 15, 2006
Myrtle Beach, South Carolina